

REMARKS

Claims 1-24 are pending in this application. Claims 14-24 have been allowed.

OBJECTION TO THE DRAWINGS

The Examiner has objected to the drawings, stating that Figures 1-2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. In response to the objection, Applicant proposes to amend Figures 1-2 by adding the legend --(PRIOR ART)--. Therefore, Applicant respectfully requests that the Examiner withdraw the objection to the drawings.

In accordance with 37 C.F.R. § 1.84, Applicant files herewith replacement drawing sheets for amended Figures 1 and 2, which have been labeled "Replacement Sheet".

OBJECTION TO THE ABSTRACT

The Examiner has objected to the abstract because it uses the phrase "including" in line 4, which is implied. In response to the Examiner's objection, Applicant has amended the abstract to delete the word "including" from line 4.

Therefore, Applicant respectfully requests that the Examiner withdraw the objection to the abstract.

ALLOWED CLAIMS

Applicant notes the Examiner's allowance of claims 14-24.

ALLOWABLE SUBJECT MATTER

The Examiner objects to claims 2-3 and 5-13 as being dependent upon a rejected base claim, and indicates that claims 2-3 and 5-13 would be allowable if rewritten in independent form including all of the limitations of the base and any

intervening claims. Applicant notes the Examiner's indication of allowable subject matter and reserves the right to rewrite the allowable claims in independent form in a subsequent communication or response.

Reconsideration is respectfully requested of the Examiner's objection to claims 2-3 and 5-13 as being dependent upon a rejected base claim. In response to the Examiner's objection, Applicant respectfully submits that claim 1 is not anticipated by U.S. Patent No. 4,768,193 ("Takemae") and that claim 1 is allowable. See Applicant's traversal of the rejection of claim 1 below.

Because claim 1 is submitted to be allowable over the cited reference, Applicant respectfully requests that the Examiner withdraw the objection to dependent claims 2-3 and 5-13 as being dependent upon a rejected base claim.

REJECTION UNDER 35 U.S.C. § 102(b)

Reconsideration is respectfully requested of the rejection of claims 1 and 4 under 35 U.S.C. § 102(b) as being anticipated by Takemae. Applicant respectfully submits that claim 1 and claim 4 dependent thereon are not anticipated by Takemae.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); M.P.E.P. § 2131.

Applicant respectfully submits that Takemae does not disclose "at least one ECC cell block including a plurality of ECC memory cells for substituting for the defective normal memory cells in response to a mode signal", as recited in claim 1.

The Examiner maintains that the ECC cell block and plurality of ECC memory cells recited in claim 1 are disclosed by the horizontal parity cell array (HPA) shown in Fig. 3A and discussed at col. 7, lines 5-10 of Takemae. However, an analysis of the cited sections in Takemae reveals that the HPA "incorporates a redundancy horizontal parity cell array for the redundancy cell array RCA". See col. 7, lines 7-10. In contrast, the ECC memory cells of claim 1 are being used to substitute for defective normal memory cells, not for the redundancy memory cells. Unlike the embodiment recited in claim 1, Takemae discloses redundancy cells for the redundancy cell array. However, the ECC memory cells recited in claim 1 are not used to substitute for redundancy cells. Instead, the ECC memory cells are used like the redundancy cells to directly substitute for defective normal cells.

Furthermore, by including ECC memory cells that substitute for defective normal memory cells, claim 1 requires the use of cells that store error checking/correction codes (ECC cells) to store data from normal memory cells. However, unlike the embodiment recited in claim 1, Takemae does not disclose using ECC cells to store data of normal memory cells and does not teach or suggest using ECC cells to store non-ECC data. See, e.g., page1, lines 26-30 (data other than ECC data is stored in normal memory cells).

Therefore, for at least the above-described reasons, Applicant respectfully submits that independent claim 1 is not anticipated by Takemae and is in condition for

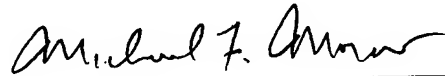
allowance.

Also, claim 4 depends from claim 1, which, for the reasons stated hereinabove, is submitted not to be anticipated by the cited reference. For at least those very same reasons, claim 4 is also submitted not to be anticipated by the cited reference.

Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1 and 4 under 35 U.S.C. § 102(b) and the objection to claims 2-3 and 5-13 as being dependent upon a rejected base claim.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,



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